

CHAPTER 46.

AN ACT directing what shall be good evidence to prove foreign and other debts, and deeds and wills, and instruments of writing executed in any of the United States, or in any foreign country, for allowing discounts, and for repealing an act of assembly therein mentioned.

See index, word 'Evidence,' for the rules of evidence, on other subjects, required by the laws of this state; see ante page 73, as to debts not exceeding ten pounds.

Be it enacted, by the General Assembly of Maryland, That an exemplification of the record under the hand of the keeper of the same, and the seal of the court or office where such record may be made, shall be good and sufficient evidence in any court of this state to prove any debt of record made or entered in any other of the United States, or in any foreign country whatever. Exemplification
good evidence, &c.

SEC. 2. *And be it enacted, That* a copy of the record or register of any deed, will, or other instrument of writing, which the laws of the state or country where the same may be executed require to be recorded or registered, and which have been or shall be recorded or registered agreeably to such laws, under the hand of the keeper of such record or register, and the seal of the court or office in which such record or register has been or may be made, or a copy of any deed, will, or other instrument of writing lodged for safe keeping in any office or court, agreeably to the laws of the state or country as aforesaid, and certified as aforesaid, shall be good and sufficient evidence in any court of this state to prove such deed, will, or instrument of writing. What shall
be good
evidence
to prove
deeds, &c.

See ch. 9, sec. 7, ante page 192, by which certain record entries or transcripts are in certain cases to be admitted as evidence.

By November, 1798, ch. 101, sub ch. 1, sec. 4, an attested copy, under the seal of office, of any will, testament, or codicil, recorded in any office authorized to record the same, shall be admitted as evidence in any court of law or equity, provided that the execution of the original will or codicil be subject to be contested until a probat hath been had according to the said act.

SEC. 3. *And be it enacted, That* where any deed, will, bond, bill, note, or other instrument of writing, hath been or shall be executed in any other of the United States, or in any foreign country, and to give validity to which recording or registering is not or shall not be made necessary, proof to the execution of such deed, will, bond, bill, note, or other instrument of writing, by the oath or affirmation, as the case may be, of the subscribing witnesses to the same, or any of them, taken before any court, judge or justice, or other officer of the state or country where such deed, will, bond, bill or instrument, hath been or may be executed, having authority by law to administer an oath or affirmation, as the case may be, and a certificate under seal from the governor, chief magistrate, or a notary Oath of
witnesses,
&c. good
evidence,
&c.